

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12008-RGS

KENNETH PORTER,  
Plaintiff,  
v.  
TERC  
Defendant.

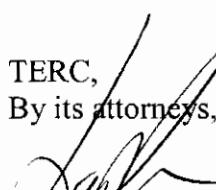
**STIPULATION OF DISMISSAL WITH PREJUDICE**

The parties to the above-captioned action hereby agree and stipulate that all claims alleged and that could have been alleged in the above-captioned action be dismissed, with prejudice, without costs, all parties waiving their rights to appeal.

KENNETH PORTER  
By his attorneys,

  
Paul Holtzman, BBO # 563184  
Hugh Dun Rappaport, BBO # 642263  
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600 Atlantic Avenue  
Boston, MA 02210  
(617) 482-7211

Dated: August 29, 2005

  
TERC,  
By its attorneys,

  
Louis A. Rodrigues, BBO # 424720  
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